

Libby Community Advisory Group

Meeting Summary

April 20, 2006

Introductions

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. A list of the members in attendance is attached below as Appendix 1.

Agenda

The CAG agreed to the following agenda for this meeting:

- \$ Agency Reports
 - S EPA
 - S TAG
 - S ARD Net
 - S St. John's Lutheran Hospital
- \$ Public Comment

EPA Report

Mike Cirian and Ted Linnert reported for EPA on the following topics.

Cleanups - During this year, 26 properties have been cleaned. The cumulative total cleaned to date is 604 properties.

Record of Decision - EPA has decided not to issue an interim Record of Decision (ROD) for the Libby remediation. The Remedial Investigation and Feasibility Study, which will determine the nature and extent of the Libby amphibole asbestos contamination and assess the associated risk, will be issued late this fall. The ROD will follow in 2007.

Fact Sheet - EPA has issued Fact Sheet No. 13, "Annual Sampling and Cleanup Update." Everyone on EPA's mailing list will receive a copy.

Dream It - Do It Seminar - This seminar will be held in Libby in August.

State Report

Catherine LeCours, with the Montana Department of Environmental Quality, reported on behalf of the state. She announced the completion of the draft Troy Asbestos Property Evaluation Work Plan which describes the field and property inspections and sample collection necessary to identify if and where asbestos is present within the Troy Operable Unit and the concentrations and quantity, if present. This information will be used at a later date to support cleanup decisions. The draft is available in paper copies and on compact disk (CD). She passed out paper or CD copies to the CAG members. She encouraged people to make comments on the draft document. Ms. LeCours also announced that sufficient funding is not available this year to implement the work plan and conduct the investigation which will lead to the Troy cleanup. The investigation will occur next year.

TAG Report

Gayla Benefield reported on behalf of the Technical Advisory Group (TAG). The TAG has received a response from EPA to the TAG's first document. The TAG is currently focusing on four issues:

- \$ The toxicity of the Libby amphibole;
- \$ Property cleanups;
- \$ How much asbestos is being left after the cleanups; and
- \$ What the meaning of the "non-detect" level in asbestos sampling.

The TAG is pleased that Dr. Aubrey Miller is involved with the toxicology analysis for EPA. The TAG will continue to meet on the Tuesday evening prior to the CAG meeting.

Audience Member Question - What cleanup issues are being looked at?

Answer - Carpets continue to be an issue. We are examining EPA's decision not to remove them as a part of the cleanup, as well as what actions will be taken when homeowners eventually remove them.

ARD Net Report

The ARD Net Health fair is scheduled for May 13. Gayla Benefield asked for volunteers to do chores such as yard work for people who can no longer work outside because of asbestos disease. People wishing to volunteer should contact Karol Spas, the county public health nurse.

St. John's Lutheran Hospital

Bill Patten reported that a group has formed to work on establishing a medical trust to provide funding for three purposes: medical services for people with asbestos disease; asbestos-disease related research; and organizational support. This group is attempting to determine the number of people needing services in each of the following five categories:

- \$ Those exposed, but not yet experiencing symptoms of asbestos-related disease, but who will need continued screening;
- \$ Those exposed who are experiencing few symptoms;
- \$ Those exposed who are experiencing moderate symptoms
- \$ Those exposed who are experiencing severe symptoms; and
- \$ Those exposed who are suffering cancer.

Once the numbers are determined, one can then estimate treatment costs for each group. The medical trust group is also considering whether to expend both the trust principle and interest over a period such as forty years or to limit expenditures only to the interest on the principle. If the latter approach is used, who would receive the principle after all those people exposed to Libby asbestos have died would also need to be decided. The medical trust group has talked with W.R. Grace Vice President Corcoran to seek agreement from W.R. Grace about the methodology for establishing and expending the trust. After agreement is reached on this topic, the group will begin defining the services needed in each of the five categories. The last step will be to recruit a board of directors to govern the trust. Assistance is being sought from actuarial and economic expertise.

Audience Member Question - Have you discussed with W.R. Grace officials the amount of funding the corporation would be willing to contribute to such a trust?

Answer - In our first call with W.R. Grace officials, they mentioned \$1.5 to 2.0 million per year for the next ten years. It is their view that the population needing services will drop off after ten years.

Audience Member Comment - Given the latency period of asbestos disease, ten years would not be sufficient. We would need the trust for at least twenty to thirty years.

Response - We recognize that ten years would not be enough time. We are trying to decide how far back we need to go to set the beginning date for exposures to calculate the number of people affected. If we go earlier than about 1930, few people would be still alive who would need services from the trust.

Audience Member Comment - You should at least go back and consider the number of people who played little league baseball from 1950 through 1997.

Response - We will do so. In addition to people still living here, we are also looking at Libby Dam construction workers and forestry workers who have left the area.

Audience Member Question - So you will be including people who have left the area in your analysis?

Answer - Yes, we are trying to include the needs of people exposed here that have left the area.

Audience Member Question - Is Mr. Corcoran willing to lock W.R. Grace into an amount for the trust, given the bankruptcy?

Answer - Mr. Cochrane was willing to discuss an amount, but the bankruptcy will be an issue. The onus is on this community to develop a proposed amount for W.R. Grace to consider.

Audience Member Comment - W.R. Grace is not trustworthy. People with asbestos disease will be dangling on a string that W.R. Grace can control.

Response - Once the trust fund is established, W.R. Grace will have no control over it. A local board of directors would control the fund. Audits will be conducted to ensure that the purposes of the trust would be met.

Comment by Commissioner Rita Windom - The group working on the board includes good people. The list includes:

- \$ Rita Windom, representing the Lincoln County Commissioners;*
- \$ Sandy Wagner, representing insurance companies;*
- \$ Robin Skaggs, representing the Libby Care Center;*
- \$ Bill Patton, Jeannie Gentry, and Kerry Beasley, representing St. John's Lutheran Hospital;*
- \$ Karol Spas, representing ARD Net;*
- \$ LeRoy Thom, representing LAMP;*
- \$ Tanis Hernandez, Dr. Brad Black, and Kim Rouse, representing CARD;*
- \$ Maria Clemons, representing the Community Health Center; and*
- \$ Jan Sanderson, representing the Libby Clinic.*

Because of the confidential nature of the information being discussed, this group will NOT be reporting regularly to the CAG.

Public Comment

CAG Member Comment - Before coming here tonight I received a telephone call from a person representing a group purporting to do a study. If I would be available to participate in the study on May 20, I would receive \$100 for three and one half hours of my time. I was read a list of names of W.R. Grace attorneys and corporate officers as well as Gayla Benefield. I got the name

of the group conducting the study and will follow up to learn more about it and its purpose. I suspect this may be part of an analysis of potential jurors for the W.R. Grace criminal trial. If others have received such calls, please contact Gayla Benefield.

There was no further public comment.

Future Meetings

The next meeting is scheduled for 7:00 to 9:00 p.m. on May, 11, 2006 in the Ponderosa Room of Libby City Hall. The future meeting schedule includes: June 15, July 20, and August 10.

Appendix 1 CAG Member & Guest Attendance List April 20, 2006

Members	Group/Organization Represented
David Latham	<i>The Montanian Newspaper</i>
K.W. Maki	Libby Schools
Bill Patton	St. John's Lutheran Hospital
Ted Linnert	EPA-Denver
Mike Cirian	EPA Project Manager
Catherine LeCours	DEQ
Gayla Benefield	LCAVRO/TAG
Gary Swenson	Libby Volunteer Fire Department
Eileen Carney	Montana State Board of Respiratory Care